

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Inventor: Masahiro OSHIKIRI

Group Art Unit: 2626

Appln. No.: 10/573,812

Examiner: D. ABEBE

Filed: March 28, 2006

For: SAMPLING RATE CONVERSION APPARATUS, ENCODING APPARATUS
DECODING APPARATUS AND METHODS THEREOF

CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that JP '199, JP '704 and JP '799 contained in the attached Information Disclosure Statement were first cited in any communication (see the attached copy of a Japanese Office Action dated July 14, 2009) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Provided herewith are (1) a copy of JP '648 was submitted with the Information Disclosure Statement of March 28, 2006, although listed on the PTO-1449 as a WO document based on the English Abstract provided with that Information Disclosure Statement, and (2) copies of the three non-patent literature documents cited in the International Search Report (copy submitted March 26, 2006) and in the Information Disclosure Statement of March 28, 2006. Copies of (1) and (2) are being provided in order to supplement the Information Disclosure Statement of March 28, 2006, so

that no fee is deemed to be warranted. An indication of consideration of these references is respectfully requested.

Respectfully submitted,

/James Edward Ledbetter/

Date: October 14, 2009

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JEL/vrw

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